Mrs Guilia Jones MLA

Chair

Standing Committee on Justice and Community Safety

ACT Legislative Assembly

London Circuit

CANBERRA ACT 2600

Dear Mrs Jones

I write in response to *Scrutiny Report 38* released on 4 February 2020,and the Committee’s comments on the *Motor Accident injuries (Premiums and Administration) Regulation 2019*.

As the Committee notes, the explanatory statement makes reference to a strict liability offence, however, the section itself does not state it is a strict liability offence. As the Committee is aware, section 23 of the Criminal Code 2002 anticipates that a law that has the effect of being a strict liability offence will state in its text that it is a strict liability offence. As the Committee observes, the offence in the regulation does not state that it is a strict liability offence however does have the effect of being a strict liability offence. I have asked the MAI commission to address this and clarify it is a strict liability offence when the opportunity arises through an amendment regulation.

Thank you for providing the comments.

Yours sincerely

Andrew Barr MLA

Chief Minister